Scott 11-48- 34,846.—20-1-22.

Law (1922) Department.

-- Education

Bdcn SERIES.

G.O. No. 1060

DATED 12-9-22

School - Bangalore. Training school for Distr sses - Land Acquisitio ap eal dismissed with costs - payment of cost with interest sanctioned.

C.F.—20

LAW (EDUCATION) **DEPARTMENT.**

Received ..... 191 . *Registered* 4 2030 B 5-7-22.

3111 B-1 20.12.21

Subject.

Payment- Rs 558-8-7 with interest at 6% per annum- owners Balmatta-site - Government Secondary and Training School for Mistresses, Mangalore.

ENCLOSURES
No. Copies of letters
Spare copies.....

R.O.C. No. 285 A/22

Station Madras , *Dated the* 29th June 1922 191

From (Name) R. Littlehailes Esq., M.A., M.L.C.

(Designation) Director of Public Instruction

To The Secretary to the Government of Madras,
LAW (EDUCATION) Department.

Sir,

In submitting herewith copies of letters Nos.Ref. 47-20-E3 dated 16th March 1922 and Ref. C 47-22 E3 dated 10th June 1922 from the Collector of Kanara to Government, I have the honour to invite your attention to Proceedings No.Misc 1483 W dated 13th October 1921 communicated to me in Government endorsement No.3111-B-1.L.E dated 20th October 1921 where the circumstances of an appeal preferred against the owners of the Balmatta site attached to the Government Secondary and Training School for Mistresses Mangalore are set forth.

2.

2. The Public Works Department have stated that the charge is not debitable to their budget. As the expenditure question appears to me to be an extraordinary one, I request that you will be so good as to obtain the sanction of Government for the payment of Rs 558-8-7 being the court costs due to the claimant together with interest at 6 per cent per annum thereon from 6th September 1921 to the date of payment.

3. The charge may be met from the Provision for "Other contingencies" for Government Training Schools for Presses in the Western Circle under 31 D (b) Education-Special-Government-Schools-Special-Transferred in the Budget Estimate for 1922-23.

I have the honour to be,

Sir,

Your most obedient servant,

for Director of Public Instruction.

P.R.K. 30/6

30.6.

Copy of letter Ref 47-20-E3 dated 16th March 1922 from the Collector of South Kanara to the Director of Public Instruction Madras

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Land Acquisition-Balmatta- Mangalore, Secondary School for Girls and Training School for Mistresses- Excessive compensation Government appeal dismissed.

The appeal filed by Government against the District Judge's decree awarding compensation at Rs 6,000 per acre for the above site as against the Land Acquisition Officer's award of Rs 4500/ per acre having been dismissed with costs, there is no other alternative but to take up the land which, I understand, has already been handed over to the Public Works Department. Please therefore arrange for the payment of the claimant's dues noted in the margin as ordered by the High Court with the least practicable delay.

Enhanced amount of compensation including 15% allowance.....	Rs 5,019-12-0
Court costs incurred by the claimant in the District Court.....	542- 6-0
do in the High Court	444- 4-7
Less Rs 428-2-0 being the court costs decreed against the claimant.	

2. Copies of decree and judgement in A.S.No. 346/20 on the file of the High Court are sent herewith for perusal and return.

Copy of letter Ref. C 47-22-E3 dated 10th June 1922 from the Collector of South Kanara to the Director of Public Instruction.

Land Acquisition-Mangalore-Site and building for Secondary Schools for Girls and Training School for Mistresses, Court Costs- payment of interest.

In continuation of my endorsement Ref.C 47-20-E3 dated 27th April 1922, I wish to inform you that the owner of the above estate has put in a petition claiming interest @ 6% on the Court costs of Rs 558-8-7 from 6th September 1921 the date of the decree passed by the High Court till the date of payment under section 34 of the Land Acquisition Act, the owner is entitled to such interest

interest and I request you to arrange to pay the court costs with interest at a very early dat

True copies.

for Director of Public Instruction.

Secrt. II-10 (a)—26,596—11-

Law (Sr.) DEPARTMENT.

	Date.	Initials.
When received for Fair-copying		
When copied		
When examined		
When signed ..		
When despatched ..		

School — Mangalore, Training School for mistresses — Land acq. — appeal dismissed with costs — Payment of cost with interest sanctd.

READ AGAIN G.O. No. ....., dated 192

" " ..... " 192

READ ALSO:—

C. No. 20208 From the D. P. I. R.O.C. No. 285 A/22 dated 29-6-1922

" " " " " " " 192

" " " " " " " 192

ORDER.

No. 1066 dated 12-9-1922

mis

The Govt. sanction the payment of the following amount to the owners of the Balmatta site acquired for the Govt. Secondary and Training School for mistresses, Mangalore consequent on the appeal, filed by Govt. against the District Judge's decree awarding compensation at Rs. 6,000 per acre for the site as against the Land Acquisition Officer's award of Rs. 4,500 per acre, having been dismissed with

costs by the High Court

Rs. 558-8-7 being the costs awarded in my case due to the claimant together with interest thereon at 6 per cent per annum from 6th Sept. 1921 the date of decree passed by the High Court, to the date of payment under section 31 of the Land Acquisition Act.

2. The expenditure will be met from the provision for other contingencies for Govt. Training Schools for mistresses in the Western Circle under 31-Education — Special — Transfers — the C.B.E. — for 1922-23. para 3, p. 2 CF;

Con
1.7.22

The D.P.I (with ref. letter Roc No A/22 dt 29.6.22)
Govt Fin. dept. (order only)
Fin. dept.
P.W.D (with ref. to G.O. No 1483 W.S. dt 12.1922 (with copy of order)

PATCH ST
14 SEP.
14 Ques.

PLANT SECTION
11-JUL-1922
LAW DEPARTMENT
SECRETARY TO GOVERNMENT
14 JUL 1922
1346
PUBLIC WORKS DEPARTMENT

(Con) W. 2030 R-1
12.7.22

The draft order may be accepted in this dept. and the case ~~transferred~~ passed on to the Finance Dept. no.

DS 18/7/22

The estimate for the acquisition of the site sanctioned in Fin. No. 9814 & 3720 will require revision in consequence of the increased award passed by the High Court When communicating the order in the present case to the S.E. IV Circle he may be asked to submit a firm estimate for the work.

DW 2-8-22 Finance Deptt. I.O. 2/8/22

Fin-Deptt

Financial advice of P.W.D that excess cost awarded is not debitable to Land head as original amount seems untenable. This must be disposed of at once

Yeh 16/8/22

S.W. Please deal with letters about the acquisition of land charges will have to be adjusted in this Deptt.

WB 16/7

Papers submitted and file handed over to V.K.K on 21/7/22

DC Comptr/1384 & 7.9.22

B 22.

P.W.D. 20.0.1340 W&/22-1

2-8-22

Fin No. 6104 B

3 8 22

B

P7 + note

The original award was debited to "41 Civil works" budget and included in the ~~Estimate~~ cost of the work. The costs now awarded owing to the ~~This additional amount also should be~~ failure of the Govt. appeal should also be debited to P.W. budget. As this increases the capital

10

para: 7.

Cost of the building — vide ~~rule~~ 483 of para 1.2.4 of P W D acct. Code and also ~~para~~ rule 2 in appendix 7 of the Civil acct. code vol I (8th ed) p 135.

The charges are therefore debitable to 41 civil works and not ~~for~~ 37 Direction ~~as proposed by the D.P.W.~~ ~~Board's Law Cell~~ ~~is required to pass on the case of P.W.D~~ ~~Provincial Finance~~

~~Secretariat may be consulted~~

~~Para debitable if the charges should be 41 Civil works~~ may ~~be~~ considered ~~by~~

Hg. Ulo 2/8/22

~~The law charges of Rs 558-8-7~~ together with interest are correctly debitable to the "Contingencies" of the Department. The view taken in para 2 of the draft order of Government is correct

Chief Manager
Deputy Accountant General
Fin. Secy

We may accept the draft thanks.
The file back to Law Dept

[P.W.D papers were returned with this U.O. from the Secy]

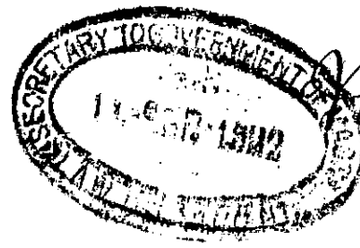
ASSISTANT SECRETARY 4-SEP.1922 GOVT. OF MADRAS
9-SEP-1922 LAW DEPARTMENT

5

No. 2080

£ 285-10
9-9-22

Approval
9-9-22



11/9/22

Mr 22